

Concerning Point III

**Non-establishment of opinion on novelty, inventive step and industrial applicability**

- 1 The following remarks hereinbelow are made with respect to the subject matter of Claims 1 to 6.  
The formulation of Claims 1 to 6, when they are considered as a whole, is unclear and incomprehensible in so far as no clear and unequivocal technical meaning can be derived directly or indirectly from them. Furthermore, as regards the description, no passages could be found which might suggest a possible meaning of the scope of the claimed subject matter.  
Consequently, the subject matter of Claims 1 to 6 lacks clarity in the scope of Article 6 PCT such that a meaningful search cannot be carried out over all the claimed subject matter (Article 17 (2)(a)(ii)) PCT.  
The same remarks are also applicable for the subject matter of Claims 7 to 10.
- 2 The applicant is informed that patent claims of inventions for which no international search report has been made cannot normally be the subject matter of an international preliminary examination (Rule 66.1(e) PCT).  
In its capacity as the authority responsible for the international preliminary examination, the EPO will thus generally not carry out a preliminary examination on subject matter for which there is no search.  
This also applies to the case in which the patent claims have been modified after receiving the international search report (Art. 19 PCT), or to the case in which the Applicant presents new patent claims in the course of the process according to Chapter II PCT.

After entering the regional phase before the EPO, however, a further search may be carried out in the course of the examination (cf. EPO guidelines C-VI, 8.5) if the deficiency which led to a declaration according to Art. 17(2) PCT has been remedied.